

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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NICOLE THOMPSON, et al.,

Plaintiffs,

v.

AUTOLIV SAFETY
 TECHNOLOGY INC., et al.,

Defendants.

2:09-cv-01375-PMP-LRL

O R D E R

This case comes before the court on plaintiffs' Motion to Quash Subpoena Issued to Chrysler by Defendant Autoliv Safety Technology Inc., and Request for Protective Order (#24). The court has considered the motion, defendant Autoliv's Opposition (#25), defendant TRW Automotive U.S. LLC's Joinder (#26) in the opposition, plaintiffs' Reply (#27), and the Supplement to Plaintiffs' Motion to Quash (#28).

The document subpoena in question was directed to Chrysler Group, which is located in the Eastern District of Michigan. Fed. R. Civ. P. 45(a)(2) requires that a subpoena for production of documents be issued "from the court for the district where the production is to be made." Hence the subpoena in question was issued from the U.S. District Court for the Eastern District of Michigan. Rule 45(c)(3) requires the issuing court to quash or modify a subpoena under certain conditions, and permits the issuing court to quash or modify a subpoena under certain other conditions. The court in the Eastern District of Michigan therefore has primary authority to quash or modify the subpoenas it issues. This court must not "usurp" that authority unless exceptional circumstances so require. *See Static Control Components, Inc. v. Darkprint Imagine, Inc.*, 201 F.R.D. 431, 432-434. Here, the subpoena calls for the production of documents that are clearly relevant to this case and are not protected by any privilege

1 that plaintiffs have standing to assert. The court therefore finds that there are no exceptional
2 circumstances here that would justify this court's intrusion into this matter. Accordingly, and for good
3 cause shown,

4 IT IS ORDERED that plaintiffs' Motion to Quash Subpoena Issued to Chrysler by Defendant
5 Autoliv Safety Technology Inc., and Request for Protective Order (#24) is denied.

6 DATED this 12th day of July, 2010.

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9 **LAWRENCE R. LEAVITT**
10 **UNITED STATES MAGISTRATE JUDGE**
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